

CHECKPOINT CARIBBEAN LTD.

June 7, 2019

VIA EMAIL: [leshak.andrea@epa.gov](mailto:leshak.andrea@epa.gov)  
AND FEDERAL EXPRESS

Andrea Leshak, Esq.  
Office of Regional Counsel  
U.S. Environmental Protection Agency, Region 2  
290 Broadway, 17<sup>th</sup> Floor  
New York, NY 10007-1866

Re: Notice of Potential Liability and Request for Information Pursuant to Sections 107(a) and 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. §§ 9601-9675, relating to the PROTECO Site in Peñuelas, Puerto Rico

Dear Ms. Leshak:

This letter is in response to EPA's Notice of Potential Liability and Request for Information issued to Checkpoint Caribbean Ltd., c/o Checkpoint Systems, Inc., dated March 28, 2019, and signed by Eric J. Wilson in the above referenced matter (the "Request for Information"). Checkpoint Caribbean Ltd., ("Checkpoint Caribbean") requested from EPA extensions of time to respond to the Request for Information. EPA granted the extensions to respond until June 7, 2019. Therefore, this response is submitted within the term provided.

Checkpoint Caribbean would like to clarify from the outset certain points. First, CCL Industries ("CCL") acquired the shares of Checkpoint Systems, Inc. ("Checkpoint Systems") on or about May 16, 2016, thus, Checkpoint Systems became a wholly-owned subsidiary of CCL.

Second, Checkpoint Caribbean is a wholly-owned subsidiary of Checkpoint Systems that closed operations in Puerto Rico on or about the first quarter of year 2012, and no longer has facilities or offices in Puerto Rico. Therefore, the availability of pertinent information and documents to respond to this Request for Information has been limited.

Although Checkpoint Caribbean operated as a separate and different entity from Checkpoint Systems, it has conducted a thorough and diligent search of documents at Checkpoint Systems headquarters in Thorofare, New Jersey in connection with Checkpoint Caribbean's former operations in Puerto Rico in order to adequately respond to the Request for Information. Also, Checkpoint Caribbean has diligently searched for files at the Puerto Rico Industrial Development Company ("PRIDCO"), from whom Checkpoint Caribbean leased certain properties from 1979 to approximately 2001.

As indicated below, most of the information requested in the Request for Information is not currently available to Checkpoint Caribbean due to the time that has passed from the period of time when PROTECO received hazardous substances from 1975 to 1999 (at least 20 years ago), and since Checkpoint Caribbean ceased operations in Puerto Rico in 2012 (7 years ago).

Consequently, after a thorough search for Checkpoint Caribbean files at Checkpoint Systems, only a very limited amount of documents have been found containing information that assisted us in responding to the Request for Information.

The responses to the Request for Information related to Checkpoint Caribbean are based on limited documents obtained from: (i) the EPA, through Mr. David N. Cuevas-Miranda, Ph.D., RCRA Section, Regional POC, Coral Reef Affairs, US EPA-Region 2 Caribbean Environmental Protection Division; (ii) from PRIDCO files; and (iii) from very few files located at Checkpoint Systems offices. Therefore, the responses to the questions in the Request for Information have been drafted by extracting relevant information from the available documents without any of the persons who participated in the preparation of the responses having personal or substantive knowledge of the information contained in these documents, or in the answers provided.

Furthermore, based on the information in the documents obtained from EPA and PRIDCO, Checkpoint Caribbean's hazardous waste stream consisted of ferric chloride, aluminum chloride, hydrochloric acid, and water. These hazardous wastes are considered by EPA as corrosive D002 waste, and are not the contaminants that EPA has identified at the PROTECO site contaminating the groundwater, namely Mercury, Tetrachloroethylene (PCE), 1,1-Dichloroethylene (1,1-DCE), Trans-1,2-Dichloroethylene (Trans-1,2-DCE), 1,1,1-Trichloroethane (1,1,1-TCA), 1,1-Dichloroethane (1,1-DCA), and 1,2-Dichloroethane (1,2-DCA) (the "PROTECO Contaminants"). Therefore, Checkpoint Caribbean respectfully submits that it is not responsible, and should not have any liability for the presence of the PROTECO Contaminants in the groundwater at the PROTECO site, as these contaminants were not generated or were present in Checkpoint Caribbean's waste stream and were not transported, or arranged for disposal by Checkpoint Caribbean to the PROTECO site.

Notwithstanding the foregoing, and without assuming any facts, responsibility, or liability as alleged in the Request for Information, Checkpoint Caribbean is willing to cooperate in good faith with EPA in providing the answers to the Request for Information as fully and completely as practicable, based on the limited available information that it has obtained as of the date of this response. Therefore, Checkpoint Caribbean's responses to the questions of the Request for Information are based significantly on documents obtained or prepared by others, and it does not mean that Checkpoint Caribbean is admitting as a fact or validating the correctness, accuracy or exactness of any information or statement made by any person in any particular document, and is not waiving its right to amend, modify, or challenge the information contained in those documents if new or additional information or documents become available in the future.

Checkpoint Caribbean nonetheless respectfully sets forth the general objections stated in the APPENDIX A of this letter to preserve its rights. In this regard, Checkpoint Caribbean provides the following responses to the Request for Information based on its best knowledge and the very limited available information that it has obtained at the time of submitting this response. Furthermore, these responses should not be considered as an admission of facts, guilt, or liabilities by Checkpoint Caribbean, or as an assumption of liabilities or responsibility by Checkpoint Systems or CCL on behalf of Checkpoint Caribbean. Accordingly, Checkpoint Caribbean respectfully reserves the right to supplement, amend or correct any of the responses contained below, if new or additional information is found or obtained.

Subject to, and without waving such objections, reservations, and rights, Checkpoint Caribbean responds as stated below.

Please note that the Exhibits have been numerated according to the question number. Not all the responses to the questions include an exhibit. Therefore, the exhibits will not follow a consecutive numeric sequence.

**Question 1**

Answer the following questions regarding the Company:

- a. State the correct legal name and mailing address for the Company;
- b. State the name(s) and address(es) of the President, Chief Executive Officer, and the Chariman of the Board (or other presiding officer) or the Company;
- c. Identify the state/commonwealth and date of incorporation of the Company and the name of its agents for service of process in the state/commonwealth of incorporation in Puerto Rico, if different; and
- d. Identify any successor corporations, predecessor corporations, or other entities related to the Company. If the Company is or was a subsidiary of affiliate of another corporation or other entity, identify each of those other entities' Chief Executive Officers, Presidents, and Chairpersons of the Board. Identify the state/commonwealth of incorporation and agents for service of process in the state/commonwealth of incorporation and in Puerto Rico, if different, for each entity identified in your response to this question.

**Response to Question 1**

Checkpoint Caribbean currently does not have information to formulate a response to this question with regards to Checkpoint Caribbean, except for the answers below.

- a. Checkpoint Caribbean Ltd., - c/o Checkpoint Systems, Inc. 101 Wolf Drive, Thorofare, New Jersey 08086 USA
- b. Not available
- c. Place of Incorporation – Cayman Islands  
Date of Incorporation – September 20<sup>th</sup>, 2005  
Service of Process – Intertrust Corporate Services (Cayman) Limited  
190 Elgin Avenue  
George Town  
Grand Cayman KYI-9005  
Cayman Islands
- d. See Corporate Chart in Exhibit 2

See Exhibit 1

The response below relates to Checkpoint Systems.

- a. Checkpoint Systems, Inc., 101 Wolf Drive, Thorofare, New Jersey 08086 USA
- b. President – John Dargan, 101 Wolf Drive, Thorofare, New Jersey 08086 USA

Chairman – Geoffrey T. Martin, 161 Worcester Road, Suite 603, Framingham, Massachusetts 0170 USA

- c. State of Incorporation – Pennsylvania  
Date of Incorporation – July 17, 1969  
Agent of Service of Process – Corporation Service Company 2595 Interstate Drive, Suite 103, Harrisburg, PA 17110 USA
- d. Checkpoint Systems, Inc. is a subsidiary of CCL Industries Inc. The CEO of CCL Industries Inc. is Geoffrey T. Martin.  
Other entities related to Checkpoint Systems, Inc. can be found in the attached corporate structure chart.

See Exhibit 2.

### Question 2

State the corporate history of the Company, including all name changes and mergers. List all names under which the company has operated and has been incorporated. For each other name, provide the following information:

- a. Whether that other company or business continues to exist, indicating the date and means by which it ceased operations (e.g., dissolution, bankruptcy, sale) if it is no longer in business:
- b. Names, addresses and telephone numbers of all registered agents, officers, and operations management personnel: and
- c. Names, addresses, and telephone numbers of all subsidiaries, unincorporated divisions or operating units, affiliates, and parent corporations if any, of that other company.

### Response to Question 2

Checkpoint Caribbean currently does not have information to formulate a response to this question with regards to Checkpoint Caribbean. However, Checkpoint Caribbean has requested access to review the information in the Puerto Rico State Department files. Upon review of these files, Checkpoint Caribbean will supplement this response, as applicable. The response below relates to Checkpoint Systems.

Regarding Checkpoint Systems, there have been no name changes. As to mergers, they occurred in the following dates:

- May 13, 2016 – Checkpoint Systems and CCL Industries USA Corp. (merger set up by CCL Industries Inc. for the purpose of acquiring Checkpoint Systems)
- January 1, 2017– Checkpoint Systems and OATSystems, Inc. (a wholly owned subsidiary of Checkpoint Systems)

See Exhibit 2.

**Question 3**

Identify all changes in ownership relating to the Company from its date of incorporation to the present, including the date of any ownership change. If any owner was/is a corporation, identify if the corporation was a subsidiary or division of another corporation. In your identification of any corporation, it is requested that you provide the full corporate name, the state/commonwealth or incorporation, and all fictitious names used/held by that corporation.

**Response to Question 3**

Checkpoint Caribbean currently does not have information to formulate a response to this question with regards to Checkpoint Caribbean. See response above regarding the file review at the Puerto Rico State Department.

Checkpoint Systems was incorporated in 1969 as a wholly-owned subsidiary of Logistics Industries Corporation. In 1977, pursuant to the terms of a merger between Logistics Industries Corporation with and into Lydall, Inc., the common stock of Checkpoint Systems was distributed to the shareholders of Logistics. Checkpoint Systems was acquired by CCL Industries Inc. on May 13, 2016, by way of a reverse merger. CCL Industries Inc. is a publicly listed (Toronto Stock Exchange) Canada corporation.  
See Exhibit 2.

**Question 4**

For each owner that is a subsidiary of another corporation identified in your answer to Request #3, above, please provide a chart that details the corporate structure from that other company through all intermediary entities to the ultimate corporate parent. For purposes of this information request, the term "ultimate corporate parent" means the corporate entity that, while owning or controlling the majority of the shares of common stock in a subsidiary corporation, is not primarily owned/controlled by another corporation.

**Response to Question 4**

Checkpoint Caribbean has not identified information relating to Logistics Industries Corporation/Lydall, Inc. CCL Industries, Inc. is the ultimate parent of Checkpoint Systems, Inc. See Exhibit 4.

**Question 5**

Provide copies of the Company's authority to do business in Puerto Rico. Include all authorizations, withdrawals, suspensions, and reinstatements.

**Response to Question 5**

We are currently waiting authorization from the Puerto Rico State Department to review the file of Checkpoint Caribbean. This response will be supplemented accordingly after the review of said file.

**Question 6**

State the dates during which the Company owned, operated, or leased any portion of the Facility, and provide copies of all documents evidencing or relating to such ownership, operation, or lease, including but not limited to purchase and sale agreements, deeds, leases, etc.

**Response to Question 6**

According to the information obtained from PRIDCO, Checkpoint Caribbean leased the following properties from PRIDCO at the Sabanetas Industrial Park in Ponce (See Exhibits 6, 6-1, 6-2, and 6-3):

T-1216-0-78-03 - from February 21, 1979 to September 30, 1991

T-1266-0-79 Module 1 – from October 1981 to May 1984

T-1266-0-79 Module 4 – from February 21, 1979 to present (meaning November 1991)

T- 1216-0-79-00 – from November 28, 1980 to January 16, 1991

T- 1216-0-77-04 – from February 21, 1979 to unknown

T-1216-0-77-05 – from unknown to approximately 2001

Checkpoint Caribbean purchased from PRIDCO the following properties, which later sold after ceasing operations:

Lot 27 of Sabanetas Industrial Park – December 20, 1996

Lot 28 of Sabanetas Industrial Park – June 20, 1990

Lot 29 of Sabanetas Industrial Park – June 20, 1990

Lot 30 of Sabanetas Industrial Park – February 7, 2000

Except for the Exhibits listed above in the response to this question, Checkpoint Caribbean has not found any additional document evidencing the lease or ownership of these properties.

**Question 7**

Indicate whether the Company has ever operated at a location other than the Facility. If yes, provide the correct names and address of the Company's other facilities where the Company carried out its operations.

**Response to Question 7**

Checkpoint Caribbean currently does not have any documents or information to formulate a response to this question in connection to Checkpoint Caribbean.

**Question 8**

Describe in detail the nature of the business and the operations conducted at the Facility and at any locations identified in response to Request #7, above, during the period that the Company operated there. Provide a brief description of the Company's operations at each facility, including the following:

- a. The dates such operations commenced and concluded; and

- b. The types of work performed at each facility, including but not limited to the industrial, chemical, or institutional processes and treatments undertaken at each facility.

### **Response to Question 8**

According to the documents obtained, Checkpoint Caribbean manufactured electronic aluminum labels that were used on consumer products as theft prevention devices. The manufacturing process involved the etching of aluminum with ferric chloride and muriatic acid solutions. This process generated a corrosive wastewater stream which was recycled back to the etching process until totally spent. See Interim RCRA Facility Assessment Report, Checkpoint Systems of Puerto Rico, Inc., prepared for the U.S. Environmental Protection Agency, Region II, by A.T. Kearny, Inc., March 1989. Exhibit 8 Section 1.2.

- a. Checkpoint Caribbean started manufacturing activities at Lot 6 of the Sabanetas Industrial Park in Ponce during the summer of 1980, until 1990. Thereafter, it moved its manufacturing operations to Lot 28 of said industrial park. See Checkpoint Systems of PR, Inc., RCRA Facility Investigation Work Plan prepared for the U.S. Environmental Protection Agency Region 2 by Checkpoint Caribbean, Ltd., December 2007. Exhibit 8-A Section 3.1.1. We currently don't have information regarding when Checkpoint Caribbean concluded operations in Lot 28 of the industrial park. However, upon information and believe, Checkpoint Caribbean closed its operations on or about the first quarter of year 2012. See article by ELNUEVODIA.COM "Checkpoint Systems se va de Puerto Rico", published Friday, October 21, 2011. Exhibit 8-A-2
- b. According to the documents obtained, the manufacturing process consisted of etching a roll of aluminum paper with ferric chloride. Hydrochloric acid was added, and as the etching strength of the solution decreased, fresh ferric chloride solution was added to strengthen the original solution which is hindered by aluminum buildup. At certain aluminum concentrations, the reaction slowed to a point of being uneconomical, and new etching solution was added. After the etching process, the aluminum roll was heat sealed with a plastic paper to form a web, which was then cut, packaged and transported for sale. The raw materials used in the process were aluminum, paper, clorox, hydrochloric acid, ferric chloride, adhesive glue, and trichloroethene used in conjunction with the adhesive application. The generated wastewater of the process contained ferric chloride, aluminum chloride, and muriatic acid (hydrochloric acid and water). See Exhibit 8 Section 1.2.

### **Question 9**

Describe how the Company came to possess the hazardous substances that came to be located at the Site.

### **Response to Question 9**

Checkpoint Caribbean currently does not have documents or information to formulate a response to this question in connection to Checkpoint Caribbean.

**Question 10**

List all hazardous substances used, generated, treated, stored, disposed of, manufactured, recycled, recovered, treated, or otherwise processed during the Company's operations at the Facility.

**Response to Question 10**

According to the documents obtained, Checkpoint Caribbean's raw materials that may have been also hazardous substances were hydrochloric acid, ferric chloride, and trichloroethene, the latter used in conjunction with the adhesive application. The generated wastewater of the manufacturing process contained ferric chloride, aluminum chloride, and muriatic acid (hydrochloric acid and water). See Exhibit 8 Section 1.2. Other substances that may have been used at Checkpoint Caribbean, per available information are Phosphoric Acid 85%, Sodium Hydroxide 50%, muriatic acid, and Polymeric Isocyanata. See PRIDCO Memorandum of August 8, 1991 from Rafael Gutiérrez to Zwindá Terán regarding a site visit to Checkpoint Caribbean. Exhibit 10.

**Question 11**

List and fully describe all waste streams generated from the Company's operations, including solid, liquid, or any other type of waste.

**Response to Question 11**

According to the documents obtained, Checkpoint Caribbean's manufacturing waste stream contained ferric chloride, aluminum chloride, and muriatic acid (hydrochloric acid and water), and at least in one occasion sludge removed from three on-site lined surface impoundments. Other wastes managed according to the documents were wastewater from scrubbers and process trenches, acid fumes, empty drums, and aluminum shavings. See Exhibit 8 Section 1.2 and Table 1-4-1.

**Question 12**

Describe in detail the handling, storage, and disposal practices employed by the Company for each waste stream resulting from the Company's operations.

**Response to Question 12**

According to the information obtained, the wastewater generated from Checkpoint Caribbean's manufacturing process was initially discharged into two on-site lined surface impoundments, Lagoons A and B prior to October 1983. These lagoons were lined with chlorinated polyethylene fabric layers with a total thickness of 36 mils (1). A trial evaporation pond, also lined, was used for less than one week to store wastewaters. The lagoons were originally intended as evaporation ponds. Rain in the area increased the volume of liquid stored in the lagoons, and a lawsuit against Checkpoint Caribbean filed by an adjacent neighbor alleging excessive equipment corrosion prompted Checkpoint Caribbean to close the lagoons by January 1984. See Exhibit 8 Section 1.2. These lagoons were closed with the approvals of the



Puerto Rico Environmental Quality Board and the EPA, per EPA's Closure Certification issued on November 12, 1987. See EPA letter of November 12, 1987 issued to the PREQB re: Closure Certification Checkpoint Systems of Puerto Rico, Inc. Exhibit 12. Before closing the lagoons, in August 1983, Checkpoint Caribbean installed two 12,000 gallon fiberglass aboveground storage tanks to replace the evaporation lagoons. One tank stored used ferric chloride which was recycled back into the process after addition of fresh ferric chloride solution. The other tank stored waste ferric to be hauled off-site. See Exhibit 8 Section 1.2. Also, according to the documents obtained, an approximate volume of 10,000 gallons of waste water was hauled from Checkpoint Caribbean by Servicios Carbareón every two weeks, and according to the facility manager, were taken to the U.S. mainland for sale to wastewater treatment facilities for use as a flocculant. See Exhibit 8 Section 1.2.

### Question 13

Identify all individuals who had responsibility for the Company's environmental and waste management decisions between 1975 and 1999 (e.g., responsibility for decisions regarding the disposal, treatment, storage, recycling, or sale of the Company's hazardous substances, hazardous wastes, and industrial wastes).

- a. Provide each such individual's job title, duties, dates performing those duties, supervisors for those duties, current position, and if applicable, the date of the individual's resignation or termination.
- b. Provide the nature or the information possessed by each such individual concerning the Company's waste management.

### Response to Question 13

Checkpoint Caribbean currently does not have information to formulate a response regarding the decision-making authority of any particular individual from Checkpoint Caribbean with responsibility for the company's environmental waste management decisions between 1975 and 1999. However, Checkpoint Caribbean has identified from the documents and correspondence obtained from EPA and PRIDCO certain individuals and their job title with Checkpoint Caribbean. The following is a list of the individuals Checkpoint Caribbean has identified from the aforementioned documents review. Except for the dates of Mr. Sol L. Colón below, the dates following each individual's name refer to the date of the document where the individual's name was obtained from. Other than the response herein, Checkpoint Caribbean currently does not have information as to formulate the rest of the response.

- a. Sol L. Colón, P.E.  
1971-1979 Director Facilities and Environmental – Checkpoint Systems of PR  
-Manage Utilities Operation and Maintenance  
-Manage the Environmental Program  
-Manage New Equipment Procurement and Installation  
1997-2002 Director Chemical Operations for Checkpoint Systems of PR  
-Manage Start Up of New Chemical Plant  
-Manage Chemical Plant and Chemical Recovery System  
-Manage Plant Environmental Program

Luis A. Aguilera – General Manager Checkpoint Systems of PR Inc.  
Appearing in documents obtained at least from March 1987 to May 1991

Héctor Domínguez – Project Manager - Checkpoint Systems of PR Inc.  
Appearing in document from March 1989

Héctor Domínguez – Unknown position but signing a lease agreement for Checkpoint Systems of PR Inc., with PRIDCO on April of 1998.

- b. Checkpoint Caribbean currently does not have information to formulate a response to this question in connection with Checkpoint Caribbean.

#### Question 14

For each type of hazardous substance, hazardous waste, and industrial waste used or generated by the Company, describe the Company's agreements or other arrangements for its disposal, treatment, storage, recycling, or sale.

- a. Provide any agreement and document, including waste logs, journals, manifests, or notes, related to any transfer of hazardous substances, hazardous wastes, and industrial wastes from the Company's Facility that came to be located at the Site.
- b. Provide all correspondence and written communications between the Company and each owner/operator of the Site regarding the Company's hazardous substances, hazardous wastes, and industrial wastes that came to be located at the Site.

#### **Response to Question 14**

Except for the response in item (a) below, Checkpoint Caribbean currently does not have any documents or information to formulate a response to this question.

- a. Except for a copy of what appears to be an EQB Uniform Hazardous Waste Manifest, No. 00191 dated August 16, 1985, which EPA included as Attachment D of the Request for Information, and included herein as Exhibit 14-A, Checkpoint Caribbean currently does not have any document to formulate a response to this question.
- b. Checkpoint Caribbean currently does not have any document to formulate a response to this question in connection with Checkpoint Caribbean.

#### Question 15

Provide agreements and documents related to the following, including waste logs, journals, manifests, or notes, as set forth below:

- a. The locations where the Company sent each type of hazardous substance, hazardous waste, and industrial waste for disposal, treatment, or recycling:
- b. List all Waste Transporters used by the Company:
- c. For each type of hazardous substance, hazardous waste, and industrial waste, specify which Waste Transporter picked it up:

- d. For each type of hazardous substance, hazardous waste, and industrial waste, state how frequently each Waste Transporter picked up such waste;
- e. For each type of hazardous substance, hazardous waste, and industrial waste, provide the volume picked up by each Waste Transporter (per week, month, or year);
- f. For each type of hazardous substance, hazardous waste, and industrial waste, identify the dates (beginning & ending) such waste was picked up by each Waste Transporter;
- g. Indicate the ultimate location for each type of hazardous substance, hazardous waste, and industrial waste. Provide all documents indicating the ultimate disposal/recycling/treatment location for each type of hazardous substance, hazardous waste, and industrial waste;
- h. Describe how the Company managed pickups of each hazardous substance, hazardous waste, and industrial waste including but not limited to:
  - i. The method for inventorying each type of hazardous substance, hazardous waste, and industrial waste;
  - ii. The method for requesting each type of hazardous substance, hazardous waste, and industrial waste to be picked up;
  - iii. The identity of the Waste Transporter employee/agent contacted for pickup of each type of hazardous substance, hazardous waste, and industrial waste; and
  - iv. The amount paid or the rate paid for the pickup of each type of hazardous substance, hazardous waste, and industrial waste;
- i. Identify the individual or organization that selected the location where each of the Company's wastes were taken. Describe the basis for and provide any documents supporting the answer to this Request.

#### **Response to Question 15**

Except for the copy of, and the information contained in the manifest referenced in the Response to Question 14(a) above and included as Exhibit 14-A herein, Checkpoint Caribbean currently does not have any documents to formulate a response to items (a) to (i) of this question 15 in connection with Checkpoint Caribbean.

#### **Question 16**

If not already provided, specify the dates and circumstances when the Company's hazardous substances, hazardous wastes, and/or industrial wastes were sent, brought, or moved to the Site, and identify the names, address, and telephone numbers of the person(s) making arrangements for the containers (e.g., 55-gallon drum, dumpster, etc.) holding hazardous substances, hazardous wastes, and/or industrial wastes to be sent, brought, or transported to the Site. Please also provide all documents that support or memorialize the answer to this Request.

#### **Response to Question 16**

Checkpoint Caribbean currently does not have any documents to formulate a response to this question in connection with Checkpoint Caribbean.

**Question 17**

Identify, describe, and provide all documents that refer or relate to the following:

- a. The nature, including the chemical content, characteristics, physical state (e.g., solid, liquid), and quantity (volume and weight) of all hazardous substances, hazardous wastes, and industrial wastes involved in each arrangement transferring material from any facility owned or operated by the Company (including the Facility) to any other facility;
- b. In general terms, the nature and quantity of the non-hazardous substances involved in each such arrangement;
- c. The hazardous substances being mixed or combined with other hazardous substances or non-hazardous substances for each arrangement. Indicate whether such mixing or combining is common in the industry. Indicate whether the Company was ever asked to stop mixing or combining the hazardous substances with the non-hazardous substances;
- d. Other materials other than the hazardous substances that were involved in the transaction;
- e. The condition of the transferred material containing hazardous substances when it was stored, disposed of, treated, or transported for disposal or treatment;
- f. The markings on and type, condition, and number of containers in which the hazardous materials were contained when they were stored, disposed, treated, or transported for disposal or treatment; and
- g. All tests, analyses, analytical results, and manifests concerning each hazardous substance, hazardous waste, and industrial waste involved in each transaction. Include information regarding who conducted the test and how the test was conducted (batch sampling, representative sampling, splits, composite, etc.)

**Response to Question 17**

Checkpoint Caribbean had permit GDA-93-408-022 for the discharge of industrial waste water through the Puerto Rico Aqueduct and Sewer Authority's ("PRASA") system. The permit was active at least from March 18, 1997 to March 22, 1998, whose legal name during said period was Checkpoint Systems de Puerto Rico, Inc. See Exhibit 17-A. Reference to this permit was found on the document included in Exhibit 17-A. Checkpoint Caribbean currently does not have a copy of said permit and does not have information on the date when Checkpoint Caribbean started discharging industrial waste waters into PRASA's system or the timeframe covered by said permit.

**Question 18**

Indicate how long the Company has had a relationship with the owner(s) and/operator(s) of the Site.

**Response to Question 18**

Checkpoint Caribbean currently does not have any documents or information to formulate a response to this question in connection with Checkpoint Caribbean.

**Question 19**

Identify any individuals, including former and current employees, who may be knowledgeable of the Company's operations and practices concerning the handling, storage, and disposal of hazardous substances.

**Response to Question 19**

In addition to the individuals listed in response to Question 13 above, Checkpoint Caribbean has been able to identify the former officers or employees: James Lucania, Bryan Rowland, Joseph Driscoll, Luis Soler and Pedro Gonzalez of Checkpoint Caribbean. However, Checkpoint Caribbean does not have information on whether these individuals were knowledgeable of its operations and practices concerning the handling, storage and disposal of hazardous substances.

**Question 20**

Please provide all documents, if not already requested above, that support your responses to Request #1 - #19, above.

**Response to Question 20**

Exhibits were attached to each question, as applicable.

**Question 21**

If any of the documents solicited in this information request are no longer available, please indicate the reason why they are no longer available. If the records were destroyed, provide us with the following:

- a. The Company's document retention policy between 1975 and 2018;
- b. A description of how the records were destroyed (burned, trashed, etc.) and the approximate date of destruction;
- c. A description of the type of information that would have been contained in the documents;
- d. The name, job title, and most current address known by you of the person(s) who would have produced these documents, the person(s) who would have been responsible for the retention of these documents, the person(s) who would have been responsible for the destruction of these documents, and the person(s) who had and/or still may have that originals or copies of these documents; and
- e. The names and most current address of any person(s) who may possess documents relevant to this inquiry.

**Response to Question 21**

Checkpoint Caribbean currently does not have any documents or information to formulate a response to this question in connection with Checkpoint Caribbean.

Question 22

Please provide copies of the Company's financial statements, shareholder's reports, financial audits, or other financial reports showing its assets, profits, liabilities, and current financial status for the last five years.

**Response to Question 22**

Checkpoint Caribbean currently does not have information on Checkpoint Caribbean to respond to this question.

Question 23

List and provide a copy of all agreements or contracts, including but not limited to insurance policies and indemnification agreements, held or entered into by the Company or its parent corporation(s), subsidiary, or subsidiaries that could indemnify it against any liability that it may have under CERCLA for releases or threatened releases of hazardous substances at and from the Facility. In response to this Request, please provide not only those insurance policies and agreements that currently are in effect, but also provide those that were in effect during the period(s) when any hazardous substances, hazardous wastes, and/or industrial wastes may have been released or threatened to be released into the environment at or from the Facility.

**Response to Question 23**

Checkpoint Caribbean currently does not have information to formulate a response to this question in connection with Checkpoint Caribbean.

Question 24

State whether any claim or claims have been made by the Company to any insurance company for any loss or damage related to operation at the Site, and if so, identify each claim by stating the name of the claimant, the name and address of the insurance company, the policy number, the named insured on the policy, claim number, date of claim, amount of claim, the specific loss or damage claimed, the current status of the claim, and the amount, date, and recipient of any payment made on the claim.

**Response to Question 24**

Checkpoint Caribbean currently does not have information to formulate a response to this question in connection with Checkpoint Caribbean.

Question 25

If you have reason to believe that there may be persons able to provide a more detailed or complete response to any question contained herein or who may be able to provide additional responsive documents, identify such persons and the additional information or documents that they may have.

**Response to Question 25**

Checkpoint Caribbean does not currently have information to respond to this question.

**Question 26**

State the name, title, and address of each individual who assisted or was consulted in the preparation of the response to this Request for Information. In addition, state whether this person has personal knowledge of the information in the answers provided.

**Response to Question 26**

The information provided by the persons below was limited to gathering documents used to respond to the Request for Information, and they have no substantive knowledge of the information contained in those documents and in the answers provided.

Mark McClendon, Vice- President & General Counsel  
CCL Industries Inc.  
17700 Foltz Parkway, Strongsville, OH 44149

Douglas Ulrich, Vice President, Facilities Engineering Worldwide  
CCL Industries Inc.  
17700 Foltz Parkway, Strongsville, OH 44149

In addition, the following persons assisted in the preparation of this response in their capacity as counsels of Checkpoint Caribbean, Checkpoint Systems, and CCL, and do not have personal knowledge of the information contained in the documents used to respond and in the answers provided.

Salvador Casellas-Toro  
Jorge J García-Díaz  
Ignacio Vidal  
McConnell Valdés LLC  
270 Muñoz Rivera Ave.  
San Juan, Puerto Rico 00918

## APPENDIX A

### General Objections / Preservations of Rights

General Objection No. 1: Checkpoint Caribbean objects to the Request for Information to the extent that it exceeds the authority granted to the U.S. Environmental Protection Agency under Section 104(e) of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. §9604(e).

General Objection No. 2: Checkpoint Caribbean objects to the Request for Information to the extent that it seeks information not relevant to the purposes stated in the EPA letter dated March 28, 2019, regarding CERCLA Section 104(e).

General Objection No. 3: Checkpoint Caribbean objects to the Request for Information as overly broad, unreasonable in scope, vague, and unduly burdensome.

General Objection No. 4: Checkpoint Caribbean objects to the Request for Information to the extent that it calls for legal conclusions.



CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

State/Commonwealth of Ohio

County/Municipality of Cuyahoga

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete to the extent that such information is available to Checkpoint Caribbean, Checkpoint Systems, and CCL as of the date of this response, and that to the best of my knowledge all documents submitted herewith are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I am also aware that I am under a continuing obligation to supplement my response to EPA's Request for Information if any additional information relevant to the matters addressed in EPA's Request for Information or my response thereto should become known or available to me.

MARK MCCLENDON  
NAME (print or type)

V.P. General Counsel  
TITLE (print or type)

Mark McCleendon  
SIGNATURE

Sworn to before me this

7th day of June 2019.

Notary Public

[Signature]



Monika P. Luken, Attorney At Law  
NOTARY PUBLIC - STATE OF OHIO  
My commission has no expiration date  
Sec.147.03 R.C.